

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JAMES D. GRIEPSMA,

Plaintiff,

Case No. C19-181-RSM

V.

CHRISTIAN J. ANDERSON, *et al.*,

Defendants.

**ORDER DENYING AS MOOT
PLAINTIFF'S MOTION FOR
TRANSCRIPTS**

This matter comes before the Court on Plaintiff's Motion entitled "Proposed Ex Parte
Order for Court Transcripts Between the Court and the Defendants' Counsel," which the Court
sets as a Motion for Transcripts. Dkt. #99. This matter was closed on October 22, 2020
following the Court's order adopting the Report & Recommendation of the Honorable Michelle
Lever and granting Defendants' motion for summary judgment. Dkts. #92, #93. The case is
currently on appeal before the Ninth Circuit. Dkts. #94, #95.

A litigant who has been granted leave to proceed in forma pauperis on appeal may move to have transcripts produced at the government's expense. 28 U.S.C. § 753(f). Section 753(f) allows the Court to order the Government to pay for transcripts "if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question)." *Id.*

1 The Court need not reach the analysis under Section 753(f) given that no hearings were
2 held in this matter. Consequently, no transcripts are available for production. Plaintiff's Motion,
3 Dkt. #99, is therefore DENIED as moot. The Clerk is directed to send copies of this Order to the
4 Parties.

6 DATED this 1st day of April, 2021.


RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE